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5 Attorneys for Defendants Angelo Ferrara and  
6 N.F. (appearing through [Proposed]  
Guardian Ad Litem, Leonora Ferrara)

7 Attorney for Defendants  
Angelo Ferrara and N.F.

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

13 CORY SPENCER, an individual;  
14 DIANA MILENA REED, an  
individual; and COASTAL  
15 PROTECTION RANGERS, INC., a  
California non-profit public benefit  
corporation;

## Plaintiffs.

v.

LUNADA BAY BOYS; THE  
INDIVIDUAL MEMBERS OF THE  
LUNADA BAY BOYS, including but  
not limited to SANG LEE, BRANT  
BLAKEMAN, ALAN JOHNSTON aka  
JALIAN JOHNSTON, MICHAEL  
RAE PAPAYANS, ANGELO  
FERRARA, FRANK FERRARA,  
CHARLIE FERRARA, and N.F.; CITY  
OF PALOS VERDES ESTATES;  
CHIEF OF POLICE JEFF KEPLEY, in  
his representative capacity; and DOES 1  
- 10.

## Defendants

Case No. 2:16-cv-2129  
Assigned to Courtroom: 1  
The Hon. S. James Otero

**NOTICE OF MOTION AND  
MOTION BY DEFENDANTS  
ANGELO FERRARA AND N.F. TO  
DISMISS FOR LACK OF SUBJECT  
MATTER JURISDICTION;  
MEMORANDUM OF POINTS AND  
AUTHORITIES IN SUPPORT**

[Fed. Rules Civ. Proc., Rule 12(b)(1)]

[Concurrently lodged: Declaration of  
Mark C. Fields; Notice of Interested  
Parties; Proposed Order]

Date: August 1, 2016  
Time: 10:00 a.m.  
Place: Courtroom No. 1  
Second Floor  
312 North Spring Street  
Los Angeles, California 90012

Action Commenced: 3/29/16

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE that on August 1, 2016, at 10:00 a.m., or as soon  
3 thereafter as the matter may be heard by the Hon. S. James Otero, United States  
4 District Court Judge, in Courtroom No. 1 of the above-indicated United States  
5 District Court, located at 312 North Spring Street, Second Floor, Los Angeles,  
6 California 90012, Defendants Angelo Ferrara and N.F. will and hereby do move the  
7 Court to dismiss this action pursuant to Rule 12(b)(1) of the Federal Rules of Civil  
8 Procedure due to lack of subject matter jurisdiction.

9 This Motion is made on the same grounds as previously set forth in the  
10 Motions To Dismiss previously filed by all the other Individual Defendants who  
11 have been served with the Summons and Complaint in this action: Michael Ray  
12 Papayans; Alan Johnston, aka Jalian Johnston; and, Brant Blakeman.

13 For the sake of the rainforests and of judicial economy, this Motion and  
14 following Memorandum will not repeat the arguments set forth in the three  
15 previously filed Motions to Dismiss, but rather joins in and incorporates such  
16 arguments. *Vasquez . Central States Joint Bd.*, 447 F. Supp.2d 833, 867 (N.D. Ill.  
17 2008).

18 This Motion is made following the conference of counsel pursuant to Local  
19 Rule 7-3 which took place on June 17, 2016.

20 This Motion is based upon and supported by this Notice, the attached  
21 Memorandum of Points and Authorities, the concurrently lodged proposed Order,  
22 complete pleadings and records on file herein, including the Complaint and the three  
23 prior Motions to Dismiss by Individual Defendants, and on such other evidence or  
24 argument as may be presented at or before the hearing.

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1 Dated: June 24, 2016

LAW OFFICES OF MARK C. FIELDS, APC

2 By

3 Mark C. Fields

4 Attorneys for Defendants Angelo Ferrara and  
5 N.F. (appearing through [Proposed]Guardian Ad  
6 Litem, Leonora Ferrara)



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1                   MEMORANDUM OF POINTS AND AUTHORITIES

2                   For purposes of this Motion To Dismiss For Lack Of Subject Matter  
3                   Jurisdiction (which assumes the truth of the allegations of the Complaint),  
4                   Defendants Angelo Ferrara and N.F. stand in the same factual and legal position as  
5                   the three Individual Defendants who have previously filed three separate Motions  
6                   To Dismiss. For that reason, Defendants Angelo Ferrara and N.F. rather than repeat  
7                   such facts and present such arguments, hereby incorporates the arguments set forth  
8                   in such previously filed Motions To Dismiss and joins in such Motions To Dismiss.  
9                   *Vasquez . Central States Joint Bd.*, 447 F. Supp.2d 833, 867 (N.D. Ill. 2008).

10                  Dated: June 24, 2016

LAW OFFICES OF MARK C. FIELDS, APC

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12                  

13                  By

14                  Mark C. Fields  
15                  Attorneys for Defendants Angelo Ferrara and  
16                  N.F. (appearing through [Proposed]Guardian Ad  
17                  Litem, Leonora Ferrara)

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